

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MIGUEL PEREZ-ESPINOSA,

Defendant.

CASE NO. CR11-5079BHS

ORDER

This matter comes before the Court on the Defendant's Unopposed Motion to Continue Trial Date and Pretrial Motions Due Date. The Court, having considered the unopposed motion and the Defendant's speedy trial waiver, makes the following findings of fact and conclusions of law:

1. Discovery in this matter is ongoing, and the government has indicated there may be additional charges forthcoming.

2. The defense needs additional time to investigate all factual allegations, locate and interview witnesses, conduct legal research and prepare and file pretrial motions.

3. The defense needs additional time to explore all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for

1 pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act  
2 and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

3 4. Taking into account the exercise of due diligence, a continuance is necessary to allow  
4 the defendant the reasonable time for effective preparation his defense, to explore resolution of  
5 this case before trial and to ensure continuity of defense counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

6 5. Proceeding to trial absent adequate time for the defense to prepare would result in a  
7 miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

8 6. The ends of justice served by granting this continuance outweigh the best interests of  
9 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

10 7. Defendant waived speedy trial through April 30, 2015.

11 NOW, THEREFORE, IT IS HEREBY ORDERED

12 That the trial date is continued from January 20, 2015, to March 31, 2015, at 9:00 a.m.;  
13 Pretrial Conference is set for March 23, 2015, at 2:30 p.m.; pretrial motions are due by February  
14 26, 2015. The resulting period of delay from January 9, 2015, to March 31, 2015, is hereby  
15 excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B)

16 Dated this 9<sup>th</sup> of January, 2015.

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19 BENJAMIN H. SETTLE  
20 United States District Judge  
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